

# THE COURTS

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CHS. 1, 2, 3, 11, 12 AND 13 ]

#### Proposed New Pa.R.J.C.P. 205 and 1205 and Amendment of Pa.R.J.C.P. 166, 167, 345, 1166, 1167 and 1345

The Juvenile Court Procedural Rules Committee proposes new Rules 205 and 1205, together with amendments to Rules 166, 167, 345, 1166, 1167 and 1345, to establish procedures related to the use of PACFile in juvenile court proceedings for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

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All communications in reference to the proposal should be received by February 1, 2019. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court  
Procedural Rules Committee*

JUDGE JENNIFER R. SLETVOLD,  
*Chair*

#### Annex A

### TITLE 237. JUVENILE RULES

#### PART I. RULES

##### Subpart A. DELINQUENCY MATTERS

##### CHAPTER 1. GENERAL PROVISIONS

##### PART C(2). MAINTAINING RECORDS

#### Rule 166. Maintaining Records in the Clerk of Courts.

\* \* \* \* \*

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

\* \* \* \* \*

8) all other information required by Rule 345.

**D. Electronic Format.** If a judicial district has provided for electronic filing pursuant to Rule 205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.

#### Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

\* \* \* \* \*

Paragraph (C)(4) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders related to omnibus motions as provided in Rule 346.

**Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.**

***Official Note:*** Rule 166 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended May 21, 2012, effective August 1, 2012. Amended April 6, 2017, effective September 1, 2017. **Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

#### *Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 166 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

**Final Report explaining the amendments to Rule 166 published with the Court's Order at \_\_\_\_\_ Pa.B. (\_\_\_\_\_, 2018).**

#### **Rule 167. Filings and Service of Court Orders and Notices.**

\* \* \* \* \*

##### B. *Service.*

1) A copy of any order or court notice shall be served promptly on the attorney for the Commonwealth, the juvenile's attorney, the juvenile, the juvenile probation officer, and any other person, service provider, or agency listed in the court order.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court administrator or other court designee.

3) *Methods of [ service ] Service.* Service shall be:

a) by:

i) personal delivery to the party's attorney or the juvenile;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to the juvenile by first class mail addressed to the juvenile's place of residence, detention, or placement;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney or the juvenile has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case; or

vi) delivery to the party's attorney or the juvenile by carrier service; or

b) orally in open court on the record[ . ]; or

**c) in a judicial district that permits electronic filing pursuant to Rule 205, service of court orders or notices shall be made as provided in Rule 205(D)(2) and (H)(1).**

C. *Unified Practice.* Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

\* \* \* \* \*

***Official Note:*** Rule 167 adopted April 1, 2005, effective October 1, 2005. Amended December 24, 2009, effective immediately. Amended July 28, 2014, effective September 29, 2014. **Amended** , 2018, effective , 2018.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 167 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 167 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

**Final Report explaining the amendments to Rule 167 published with the Court's Order at Pa.B. ( , 2018).**

**CHAPTER 2. COMMENCEMENT OF PROCEEDINGS, ARREST PROCEDURES, WRITTEN ALLEGATION, AND PRE-ADJUDICATORY DETENTION**

**PART A. COMMENCING PROCEEDINGS**

*(Editor's Note: The following rule is proposed to be added and printed in regular type to enhance readability.)*

**Rule 205. Electronic Filing and Service of Legal Papers.**

A. *Authorization.* The president judge of a judicial district by local rule promulgated pursuant to Rule 121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in

cases in delinquency proceedings through the statewide electronic filing system as provided in this rule.

**B. Local Rule**

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory. For the purpose of establishing the commencement of the period, a judicial district may rely upon an authorization established pursuant to Pa.R.Crim.P. 576.1(B).

C. *Definitions.* As used in this rule, the following words shall have the following meanings:

"electronic filing," the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

"filing party," an attorney, juvenile, or other person who files a legal paper by means of electronic filing;

"legal paper," a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, exhibits, and attachments, but excluding

1) applications for search warrants;

2) applications for arrest warrants; and

3) submissions filed ex parte as authorized by law.

"original document," a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

"the system," the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

**D. Participation**

1) The system shall permit attorneys, juveniles proceeding without counsel, law enforcement officers, and juvenile probation officers to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

#### E. Filing

1) When a legal paper is to be electronically filed, it shall be submitted to the system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (".pdf").

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of

court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

#### F. Signature

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: /s/ *John L. Doe*.

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form.* The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

#### H. Service

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 167(B) and 345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 167(B) and 345(B).

#### Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile

electronic filing system. This is the only authorized system for electronic filing of legal documents in delinquency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial “opting into” electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a district attorney or public defender would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney’s account.

The local rule required by this rule must conform to the requirements of Rule 121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission or whose e-mail address is included on an appearance or prior legal paper filed in connection with the case. If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

See Rule 167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

**Official Note:** Rule 205 adopted \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 205 published with the Court’s Order at \_\_\_\_\_ Pa.B. (\_\_\_\_\_, 2018).

**CHAPTER 3. PRE-ADJUDICATORY PROCEDURES**

**PART D(1). MOTION PROCEDURES**

**Rule 345. Filing and Service.**

*A. Filings.*

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [ courts’ duties ] Courts’ Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [ represented juveniles ] Represented Juveniles.* In any case in which a juvenile is represented by an attorney, if the juvenile submits for filing a written motion, notice, or document that has not been signed by the juvenile’s attorney, the clerk of courts shall not file the motion, notice, or document in the official court record or make a docket entry, but shall forward it promptly to the juvenile’s attorney.

4) *Method of [ filing ] Filing.* Filing may be accomplished by:

a) personal delivery to the clerk of courts; [ or ]

b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[ . ]; or

**c) in a judicial district that permits electronic filing pursuant to Rule 205, as provided in Rule 205(E).**

*B. Service.*

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [ service to parties ] Service to Parties.* Service on the parties shall be [ by ]:

a) **by** personal delivery of a copy to a party’s attorney, or, if unrepresented, the party; [ or ]

b) **by** mailing a copy to a party’s attorney or leaving a copy for the attorney at the attorney’s office; [ or ]

c) in [ those ] a judicial [ districts ] district that [ maintain ] maintains in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney’s box; [ or ]

d) **by** sending a copy to an unrepresented juvenile by first class mail addressed to the juvenile’s place of residence, detention, or placement[ . ]; or

**e) as provided in Rule 205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 205.**

*C. Proof of service.* All documents that are filed and served pursuant to this rule shall include a certificate of service.

Comment

See Rule 166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the juvenile, if unrepresented, by the clerk of courts as provided in Rule 167.

**For the procedures for electronic filing and service as a local option, see Rule 205.**

For service of petitions, see Rule 331.

**Official Note:** Rule 345 adopted April 1, 2005, effective October 1, 2005. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. **Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

*Committee Explanatory Reports:*

Final Report explaining the amendment to Rule 345 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).

Final Report explaining the amendments to Rule 345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

**Final Report explaining the amendments to Rule 345 published with the Court's Order at Pa.B. (\_\_\_\_\_, 2018).**

**Subpart B. DEPENDENCY MATTERS  
CHAPTER 11. GENERAL PROVISIONS  
PART C(2). MAINTAINING RECORDS**

**Rule 1166. Maintaining Records in the Clerk of Courts.**

\* \* \* \* \*

C. *Contents of docket entries.* The docket entries shall include, at a minimum, the following information:

\* \* \* \* \*

9) all other information required by Rule 1345.

**D. Electronic Format. If a judicial district has provided for electronic filing pursuant to Rule 1205, the juvenile court file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the juvenile court file may be produced in a physical paper format.**

Comment

This rule sets forth the mandatory contents of the list of docket entries and the official court record. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information to be recorded in a case or in all cases.

\* \* \* \* \*

Paragraph (C)(5) recognizes that occasionally resolution of oral motions presented in open court should be reflected in the docket, such as motions and orders.

**Paragraph (D) permits electronically filed documents to be part of the juvenile court record in an electronic format. Accordingly, the juvenile court record may exist in both paper and electronic form, provided the electronic form can be produced in a paper form.**

**Official Note:** Rule 1166 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. Amended April 6, 2017, effective September 1, 2017. **Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1166 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 1166 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

**Report explaining the amendments to Rule 1166 published with the Court's Order at Pa.B. (\_\_\_\_\_, 2018).**

**Rule 1167. Filings and Service of Court Orders and Notices.**

\* \* \* \* \*

B. *Service.*

1) A copy of any order or court notice shall be served promptly on each party's attorney, and the party, if unrepresented.

2) The clerk of courts shall serve the order or court notice, unless the president judge has promulgated a local rule designating service to be by the court or its designee.

3) *Methods of [ service ] Service.* Service shall be:

a) in writing by:

i) personal delivery to the party's attorney, and if unrepresented, the party;

ii) mailing a copy to the party's attorney or leaving a copy for the attorney at the attorney's office;

iii) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, leaving a copy for the attorney in the attorney's box;

iv) sending a copy to an unrepresented party by first class mail addressed to the party's place of business, residence, or detention;

v) sending a copy by facsimile transmission or other electronic means if the party's attorney, and if unrepresented, the party has filed written request for this method of service or has included a facsimile number or an electronic address on a prior legal paper filed in the case;

vi) delivery to the party's attorney, and if unrepresented, the party by carrier service; or

b) orally in open court on the record[ . ]; or

**c) in a judicial district that permits electronic filing pursuant to Rule 1205, service of court orders or notices shall be made as provided in Rule 1205(D)(2) and (H)(1).**

C. *Unified Practice.* Any local rule that is inconsistent with the provisions of this rule is prohibited, including any local rule requiring a person to file or serve orders or court notices.

\* \* \* \* \*

**Official Note:** Rule 1167 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1167 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1167 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

**Report explaining the amendments to Rule 1167 published with the Court's Order at \_\_\_\_\_ Pa.B. (\_\_\_\_\_, 2018).**

## CHAPTER 12. COMMENCEMENT OF PROCEEDINGS, EMERGENCY, CUSTODY, AND PRE-ADJUDICATORY PLACEMENT.

### PART A. COMMENCING PROCEDURES

(*Editor's Note:* The following rule is proposed to be added and printed in regular type to enhance readability.)

#### Rule 1205. Electronic Filing and Service of Legal Papers.

A. *Authorization.* The president judge of a judicial district by local rule promulgated pursuant to Rule 1121 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in cases in dependency proceedings through the statewide electronic filing system as provided in this rule.

##### B. *Local Rule*

1) The local rule required under this rule shall include the following provisions:

a) subject to the provisions in paragraph (B)(2), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

b) a provision for the procedures to ensure that any party who declines to participate in the system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the system, at a minimum, shall be able to file legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed;

c) any additional provisions as the court may deem necessary to provide a full and complete procedure for the use of the system within the judicial district; and

d) a notation that the Administrative Office of Pennsylvania Courts and the judicial district have agreed upon an implementation plan for PACFile in the judicial district.

2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 1121 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory.

C. *Definitions.* As used in this rule, the following words shall have the following meanings:

“electronic filing,” the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the clerk of courts;

“filing party,” an attorney or other person or entity who files a legal paper by means of electronic filing;

“legal paper,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, exhibits, and attachments, but excluding submissions filed *ex parte* as authorized by law;

“original document,” a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

“the system,” the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

##### D. *Participation*

1) The system shall permit attorneys, parties proceeding without counsel, and non-attorney persons or entities with standing to participate in a proceeding to file electronically.

a) In order to participate in the system, an attorney shall establish an account in the system by procedures established by the Administrative Office of Pennsylvania Courts.

b) A non-attorney shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

2) Establishment of an account by an attorney or authorization of a non-attorney in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

3) An attorney or non-attorney participating in the system is permitted to file a legal paper either in an electronic format or in a physical paper format. Service upon an attorney or non-attorney participating in the system shall be done electronically.

##### E. *Filing*

1) When a legal paper is to be electronically filed, it shall be submitted to the system at the Unified Judicial System web portal at <http://ujportal.pacourts.us>, in accordance with this rule, any local rule adopted pursuant to this rule, and any filing instructions as may be otherwise provided at the web portal site.

2) Electronic filings may be submitted at any time, except during times of periodic maintenance. The electronic submission must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

3) The time and date on which a legal paper is submitted to the system shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been submitted.

4) The time and date on which the legal paper is accepted by the clerk of courts office also shall be recorded by the system. The system shall provide an acknowledgement to the filing party that the legal paper has been accepted.

5) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the clerk of courts. If the clerk of courts determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the clerk of courts finds that the requirements for filing are not met, the clerk may reject the filing.

6) A filing party shall be responsible for any delay, disruption, and interruption of the electronic signals and legibility of the document electronically filed, except when caused by the failure of the system's website.

7) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper.

8) Legal papers shall be presented for filing in portable document format (".pdf").

9) All legal papers electronically filed shall be maintained and retained by the clerk of courts in an electronic format. Neither the clerk of courts nor the court is required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

10) Any legal paper submitted for filing to the clerk of courts in a physical paper format shall be accepted by the clerk of courts in that format and shall be retained by the clerk of courts as may be required by applicable rules of court and record retention policies. The clerk of courts shall convert such legal paper in a physical paper format to .pdf and add it to the system. However, those submissions that are excluded from the definition of "legal paper" under paragraph (C) shall not be converted and added to the system.

11) No legal paper that complies with the Pennsylvania Rules of Juvenile Court Procedure shall be refused for filing by the clerk of courts or the electronic filing system based upon a requirement of a local rule or local administrative procedure or practice pertaining to the electronic filing of legal papers.

#### F. Signature

1) Except as provided in paragraph (F)(3), an electronic signature of the filer as provided for in the system is permitted on electronic filings in the following form: */s/ John L. Doe.*

2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.J.C.P. 1344(C)(1) that the filing party or attorney has filed the motion in good faith.

3) Any motion that, pursuant to Rule 1344(C)(3), avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

4) The original of a verified legal paper that is an electronic filing or is contained within an electronic filing shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

G. *Official Court Record Form.* The court by local rule shall provide for the maintenance by the clerk of courts of an electronic file only, or of such electronic and physical paper format files as set forth in the local rule. Those legal papers that are not permitted to be electronically filed pursuant to paragraph (C) shall be maintained in a physical paper format only.

#### H. Service

1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 1167(B) and 1345(B) on any attorney or party who has established a system account.

2) Upon the acceptance by the clerk of courts office of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been accepted.

3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 1167(B) and 1345(B).

#### Comment

This rule permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in dependency proceedings.

Paragraph (B) requires that a judicial district that desires to participate in the electronic filing system must adopt a local rule to that effect. As part of the initial "opting into" electronic filing, this local rule must provide that participation is voluntary. Once a judicial district has allowed electronic filing for two years, participation may be made mandatory. Paragraph (B)(1)(b) requires that all judicial districts in which electronic filing is allowed must make accommodations for those parties who are unable to participate. In no event shall access to the court filing be precluded solely on the basis of participation in the electronic filing system.

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

The system permits a user to designate other users as proxies on individual cases. These proxies all receive notice of any filing in the case. It is anticipated that offices such as those of a county agency or advocate organization would be able to establish general user accounts with particular attorneys assigned and their supervisors or back-ups listed as proxies in individual cases.

An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account.

The local rule required by this rule must conform to the requirements of Rule 1121 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper

format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases where an adjudicatory hearing has been scheduled while maintaining only electronic files for cases proceeding by informal adjustment or admission.

Upon submission of the electronic filing of a legal paper, the electronic filing system shall automatically send notice of the filing to all parties who have agreed to service by electronic transmission or whose e-mail address is included on an appearance or prior legal paper filed in connection with the case. If the electronic filing system sends notice of such filing, the party filing the legal paper only need serve those parties who are not served by the electronic filing system. An e-mail address set forth on letterhead is not a sufficient basis under this rule to permit electronic service of legal papers.

See Rule 1167(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

See Rule 1345(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

**Official Note:** Rule 205 adopted \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1205 published with the Court's Order at \_\_\_\_\_ Pa.B. (\_\_\_\_\_, 2018).

## CHAPTER 13. PRE-ADJUDICATORY PROCEDURES

### PART D(1). MOTION PROCEDURES

#### Rule 1345. Filing and Service.

##### A. Filings.

1) *Generally.* Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

2) *Clerk of [courts' duties] Courts' Duties.* Except as provided in paragraph (A)(3), the clerk of courts shall docket a written motion, notice, or document when it is received and record the time of filing in the docket. The clerk of courts promptly shall transmit a copy of these papers to such person as may be designated by the court.

3) *Filings by [represented parties] Represented Parties.* In any case in which a party is represented by an attorney, if the party submits for filing a written motion, notice, or document that has not been signed by the party's attorney, the clerk of courts shall not file the motion, notice, or document in the child's official court record or make a docket entry, but shall forward it promptly to the party's attorney.

4) *Method of [filing] Filing.* Filing may be accomplished by:

- a) personal delivery to the clerk of courts; [ or ]
- b) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing[ . ]; or

**c) in a judicial district that permits electronic filing pursuant to Rule 1205, as provided in Rule 1205(E).**

##### B. Service.

1) *Generally.* The party filing the document shall serve the other party concurrently with the filing.

2) *Method of [service to parties] Service to Parties.* Service on the parties shall be [ by ]:

a) **by** personal delivery of a copy to a party's attorney, or, if unrepresented, the party; [ or ]

b) **by** mailing a copy to a party's attorney or leaving a copy for the attorney at the attorney's office; [ or ]

c) in [ those ] a judicial [ districts ] district that [ maintain ] maintains in the courthouse assigned boxes for counsel to receive service, **by** leaving a copy for the attorney in the attorney's box; [ or ]

d) **by** sending a copy to an unrepresented party by first class mail addressed to the party's place of residence[ . ]; or

**e) as provided in Rule 1205(D)(2) and (H)(1) in a judicial district that permits electronic filing pursuant to Rule 1205.**

C. *Proof of [service] Service.* All documents that are filed and served pursuant to this rule shall include a certificate of service.

##### Comment

See Rule 1166 for maintaining records in the clerk of courts.

Under paragraph (A)(2), the court is to designate a court official to process motions and other matters for appropriate scheduling and resolution.

Under paragraph (B)(1), the party filing a document is required to serve the other party.

This rule does not affect court orders, which are to be served upon each party's attorney and the guardian, if unrepresented, by the clerk of courts as provided in Rule 1167.

**For the procedures for electronic filing and service as a local option, see Rule 1205.**

For service of petitions, see Rule 1331.

**Official Note:** Rule 1345 adopted August 21, 2006, effective February 1, 2007. Amended December 24, 2009, effective immediately. **Amended \_\_\_\_\_, 2018, effective \_\_\_\_\_, 2018.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1345 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1345 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

**Final Report explaining the amendments to Rule 1345 published with the Court's Order at \_\_\_\_\_ Pa.B. (\_\_\_\_\_, 2018).**

##### REPORT

**Proposed New Pa.R.J.C.P. 205 and 1205, and Amendment of Pa.R.J.C.P. 166, 167, 345, 1166, 1167 and 1345**

PACFile is a statewide electronic filing system based on the e-filing system used in the Appellate Courts. The



PACFile system provides the ability to file documents with the courts electronically on new and existing cases. It is currently available for filings in appellate, criminal, delinquency, and dependency proceedings. The Pennsylvania Rules of Criminal Procedure have been amended to provide procedures for the use of PACFile. See Pa.R.Crim.P. 576.1. For background concerning that amendment, see 46 Pa.B. 1643 (April 2, 2016); 48 Pa.B. 856 (February 10, 2018).

The Juvenile Court Procedural Rules Committee herein proposes rules similar to the Pennsylvania Rules of Criminal Procedure to facilitate the use of PACFile in delinquency and dependency proceedings. The primary differences between the Rules of Criminal Procedure and the proposed Rules of Juvenile Court Procedure are:

- Pa.R.Crim.P. 576.1 is in the body of the rules addressing motions. The PACFile rule for delinquency submissions is in Chapter 2, Part A (Commencement of Proceedings) as new Rule 205. The dependency rule analog is new Rule 1205.

- Pa.R.Crim.P. 576.1(B)(2) requires a two-year period of PACFile use before a judicial district can make participation in the system mandatory. Rule 205(B)(2) contains a similar requirement, but allows a judicial district to use the date of authorization established by Criminal Rule 576.1(B)(2). It does not make sense for a DA or PD's office to wait two different time periods to use the same system. Rule 1205(B)(2) contains a two-year waiting period before participation can be mandated.

Importantly, the Committee is aware that some judicial districts have already implemented PACFile for either delinquency filings or dependency filings or both. A judicial district seeking a waiver of the two-year optional window to make participation mandatory upon the adoption of these proposed rules should submit a request to the Committee by the public comment deadline. The request should also identify if and when PACFile was previously made mandatory in the judicial district. The Committee will submit any timely waiver requests to the Court for consideration together with the proposed rules.

- Under the definition of "legal paper" in Rule 205(C), grand jury materials were omitted from the exclusion of legal papers because grand juries, whether investigative or indicting, are governed by the Criminal Rules. Therefore, it is presumed that materials related to the grand jury would be filed on the criminal docket and not the juvenile docket, with the exception of a presentment or indictment, which are permitted to be filed via PACFile under the Pa.R.Crim.P. 576.1(C).

- Under the definition of "legal paper" in Rule 205(C), submissions filed under seal were omitted from the exclusion of legal papers because the juvenile record is not publically accessible.

- Under the definition of "legal paper" in Rule 1205(C), the only submissions excluded from PACFile are submissions filed *ex parte*. Accordingly, Rule 1205(C) incorporates only that limitation from the definition of "legal paper" in Pa.R.Crim.P. 576.1.

- In Rule 205(D), in addition to attorneys, unrepresented juveniles, law enforcement officers, and JPOs are allowed to use the system for filing with authorization from AOPC. Other persons, service providers, or agencies were not included because they are not parties. Cf. Pa.R.J.C.P. 167(B) (identifying who should receive service of court orders and notices).

- In Rule 1205(D), in addition to attorneys, unrepresented parties are allowed to use the system with

authorization from AOPC. It is assumed that a solicitor, which is covered by "attorney," will always represent the county agency.

- In Rule 205(F)(2) and Rule 1205(F)(2), a reference is made to Rule 344(C)(1) and Rule 1344(C)(1), respectively, stating that the motion is filed in good faith rather than repeating the requirements of Rule 344(C)(1) and Rule 1344(C)(1) within the PACFile rules.

- In Rule 205(F)(3)-(4) and Rule 1205(F)(3)-(4), the use of "sworn affidavit" and "sworn" were eliminated and replaced with "verification" and "verified" to reflect the terms used in Rule 344(C)(3) and Rule 1344(C)(3).

- For delinquency rules, corollary amendments to reference Rule 205 were made to Rules 166, 167, and 345. For dependency rules, corollary amendments to reference Rule 1205 were made to Rule 1166, 1167, and 1345.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

[Pa.B. Doc. No. 18-1886. Filed for public inspection December 7, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### ADAMS COUNTY

#### Rules of Civil Procedure; Administrative Order Number 12 of 2018

##### Order of Court

*And Now*, this 30th day of October, 2018, *It Is Hereby Ordered* that Adams County Rules of Civil Procedure 1910.10 and 1910.11 are vacated in their entirety, and the following Rules adopted:

##### **Rule 1910.4. Commencement of Action.**

**(a) *General.* These rules shall govern all actions for child support, spousal support and alimony pendente lite (APL). The rules shall be interpreted as supplementing the Pennsylvania Rules of Civil Procedure governing support and alimony pendente lite (APL) actions.**

**(b) *Actions for child support, spousal support and alimony pendente lite (APL).* All actions for child support, spousal support and alimony pendente lite (APL) shall be commenced by filing a complaint with the Adams County Domestic Relations Section located at the Adams County Human Services Building, 525 Boyds School Road, Suite 600, Gettysburg, Pennsylvania. All docketing of the records for child support, spousal support and APL matters shall be conducted by the Adams County Domestic Relations Section, who shall serve as the custodian of the official record for those matters. If filing for APL, the filing party shall provide verification of the divorce filing in the complaint for APL. This verification shall include the docket number and caption of the divorce case. All claims for alimony subsequent to divorce and enforcement thereof shall continue to be filed and docketed with the Adams County Prothonotary, at the parties' divorce case caption and docket number.**

##### **Rule 1910.10. Procedure for Establishment of Support and Alimony Pendente Lite (APL).**

**All actions for child support, spousal support and alimony pendente lite (APL) shall proceed as described by Pa.R.C.P. No. 1910.11.**

**Rule 1910.11. Office Conference. Subsequent Proceedings. Order.**

(a) *Office Conference.* The office conference shall be a non-record proceeding conducted by a Conference Officer at the Domestic Relations Section. The Conference Officer shall be designated by the Executive Director of the Domestic Relations Section. The office conference shall not be recorded.

(b) *Request for Continuance of Office Conference.* A written request for continuance of the office conference shall be communicated at least seven (7) days before the conference date via correspondence from the moving party to the Conference Officer assigned to the case. A formal motion is not necessary. The request may be hand-delivered, mailed, faxed or emailed to the Domestic Relations Section. All requests must state the opposing party's position and shall be served by the moving party upon the non-moving party. Ex parte communications are strictly prohibited. If the request is made less than seven (7) days before the conference date, it will be denied absent compelling circumstances. Any party aggrieved by a denial of request for continuance of the office conference may file a formal Motion for Continuance at the Domestic Relations Section which must be served upon the other party. The Domestic Relations Section will forward the motion to the judge assigned to the case. The opposing party's position must be stated in the formal Motion for Continuance, otherwise it may be denied at the discretion of the court.

(c) *Demand for Hearing De Novo.* Any party may seek review by the court of the order entered following the office conference by filing a Demand for Hearing De Novo. The "Demand For Hearing De Novo" form shall be used to make such a request. An electronic fill-in version of this form is available on the Adams County Court's self-help website under the Domestic Relations Services link at [www.adamscounty.us](http://www.adamscounty.us). All Demands for Hearing De Novo shall be filed at the Domestic Relations Section located at 525 Boyds School Road, Suite 600, Gettysburg, Pennsylvania 17325.

(d) *Content of the Demand for Hearing De Novo. Designating a Support Case as Complex.* The party filing the Demand for Hearing De Novo shall indicate on the form the reasons and issues that the party wishes the court to consider at the hearing, including citations to applicable legal authority. Typically, the court allots twenty (20) minutes to hear each case. In accordance with Pa.R.C.P. 1910.11(j)(1), if a party believes the case will involve complex issues of law or fact, and/or it will take more than twenty (20) minutes to complete, then a Motion to Specially Set Hearing De Novo must be filed and served upon the opposing party. The moving party shall include an estimation of the time needed for hearing in the motion.

(e) *Scheduling and Notice of Hearing De Novo.* When a Demand for Hearing De Novo is filed, the Domestic Relations Section shall schedule a hearing before the court and issue written notice thereof to the parties. When a party files a Motion to Specially Set Hearing De Novo, this request shall be forwarded by Domestic Relations Section to the executive assistant to the assigned judge for coordination and issuance of notice of a hearing date.

(f) *Motion for Continuance of Hearing De Novo.* All Motions for Continuance of Hearing De Novo shall be filed at the Domestic Relations Section, which shall forward a copy of the Motion to the judge assigned to the case. All Motions for Continuance of Hearing De Novo must state the opposing party's position on the request and shall be served on the opposing party by the moving party in accordance with the Pennsylvania Rules of Civil Procedure, otherwise the Motion may be denied at the discretion of the court.

(g) *Prehearing Memorandum for Hearing De Novo in Complex Cases.* For all cases designated as complex, each party shall file a Prehearing Memorandum at the Domestic Relations Section at least five (5) days in advance of the date set for hearing, with service thereof upon the opposing party. The Domestic Relations Section shall forward a copy of the Prehearing Memorandum to the judge assigned to the case.

(h) *Discovery in Complex Cases.* When a case has been designated by the court as complex, discovery shall be available in accordance with Pa.R.C.P. Nos. 4001 through 4025. See Pa.R.C.P. No. 1910.11(j)(2).

(i) *Telephonic participation.* Consistent with Pa.R.C.P. No. 1930.3, all requests for a party or a witness to participate in a hearing de novo via telephone, audiovisual or other electronic means shall be made by formal motion with good cause shown filed at the Domestic Relations Section at least seven (7) days in advance of the hearing de novo. The opposing party's position on the request must be noted in the motion, otherwise it may be denied at the discretion of the court.

(j) *Motion to Withdraw Demand for Hearing De Novo.* A motion to withdraw a demand for hearing de novo must contain the concurrence of both parties, otherwise it will be denied.

Rules 1910.12 to 1910.19. Reserved.

Rule 1910.20. Support Order. Enforcement. General.

(a) *Enforcement.* Orders for child support, spousal support and alimony pendente lite (APL) shall be enforced by the Domestic Relations Section, pursuant to applicable law.

(b) *Notice.* The notice required by 23 Pa.C.S.A. § 4303 shall be as follows:

To: Obligor

The law requires the Domestic Relations Office to periodically provide approved consumer reporting agencies with your name and the amount of overdue arrearages that you owe. According to our records, you owe \$\_\_\_\_\_, and this amount will be reported unless you contest the accuracy of the information within the next twenty days by filing a written objection with this office. Your objection should specifically state the amount of money that you dispute is owed.

Upon timely receipt of an objection, this office will schedule a conference to resolve the dispute.

Dated \_\_\_\_\_

/s/ Domestic Relations Section Representative

It Is Further Directed that:

a. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

b. Upon notification from the AOPC that the local rule is not inconsistent with State Rules, file two (2) certified paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website, as well as on the Domestic Relations Section webpage;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Domestic Relations Section and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule change described herein shall be January 1, 2019.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 18-1887. Filed for public inspection December 7, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUTLER COUNTY

#### Publication of Administrative Order Related to the Law Library and the Filing of Municipal Ordinances; AD 3-2018

##### Administrative Order of Court

*And Now*, this 14th day of November, 2018, the Court orders and directs that the Administrative Order Of Court dated November 6, 2018 related to the scanning of filed municipal ordinances and related fees shall be published in the *Pennsylvania Bulletin*.

It is further ordered that this Administrative Order shall be effective upon publication.

It is finally ordered that the District Court Administrator shall:

(a) Deliver one copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

(b) Distribute two paper copies and one electronic copy hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) Deliver a copy of the Administrative Order related to the Butler County Guardian-ad-Litem Policies in Custody Matters to the *Butler County Legal Journal* for publication as that organization deems appropriate.

(d) Distribute a copy of the Administrative Order to the Judges of the Court of Common Pleas in Butler County and to the attorneys on the Butler County Family Court list serve.

(e) Publish this Administrative Order on the Butler County Court website.

(f) File a copy of the Administrative Order in the Butler County office of the Butler County Prothonotary for inspection and copying.

*By the Court*

WILLIAM R. SHAFFER,  
*Administrative Judge*

### Administrative Order of Court

*And Now*, this 6th day of November, 2018, the Court recognizing the obligation of the several municipalities in the County of Butler to file for review of the citizenry those ordinances which the municipalities promulgate, it is hereby Ordered that those municipalities may submit said ordinances electronically in a .pdf format. The fee for filing shall be waived for all ordinances submitted in this fashion. The Butler County Court Administrator's Office shall in writing inform the several municipalities of the contents of this order and provide an e-mail address to which ordinances may be forwarded.

It is further Ordered that all historical ordinances which have been filed with the Butler County Law Library shall be scanned as soon as is practical and they shall be made available for public view on the public access computers in the Library.

*By the Court*

WILLIAM R. SHAFFER,  
*Administrative Judge*

[Pa.B. Doc. No. 18-1888. Filed for public inspection December 7, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LEHIGH COUNTY

#### Clerk of Judicial Records Civil Division—Fee Increase; Case No. 2018-J-99

##### Order

*And Now*, this 15th day of November, 2018, upon consideration of the within Petition for Increased Fee Schedule presented by Lehigh County Clerk of Judicial Records, Andrea E. Naugle, and in accordance with Act 164 of 1998, the Prothonotary Fee Law.

*It Is Ordered* that the Lehigh County Clerk of Judicial Records—Civil Division Fee Schedule, which follows the within Petition as Exhibit "D," is hereby approved and adopted, to be effective January 1, 2019.

*It Is Further Ordered* that the Court Administrator of Lehigh County is directed to:

1. File one (1) certified copy of this order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.

4. File one (1) certified copy with the Clerk of Judicial Records Civil Division of the Court of Common Pleas of Lehigh County.

5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

*By the Court*

EDWARD D. REIBMAN,  
*President Judge*

**Andrea E. Naugle, Lehigh County Clerk of  
Judicial Records  
Civil Division Fee Schedule  
Effective January 1, 2019**

(42 Pa.C.S. § 21071)  
Act 98-164 Effective 1/21/99

*Note:* CTF = Children's Trust Fund Fee Mandated by State Legislation  
JCP = Judicial Computer Project Fee Mandated by State Legislation  
Revisions: Act 126 of 2014—eff. 7/10/14, Act 113 of 2014—eff. 8/8/2014  
PAF = Prothonotary Automation Fee Authorized by Act 98-164  
LCE = Lehigh County E-filing created by Leh R.C.P. 205.3 effective 1/1/04

<i>Document Type</i>	<i>Fee</i>
<b>Acknowledgment of Deeds</b>	\$ 10.60
<b>APPEALS</b>	
Appellate Court Plus check made payable to "Prothonotary of Superior/Commonwealth Court" for \$90.25	\$ 83.90
Magisterial District Judge	\$177.25
Arbitration *plus any add't compensation compensation authorized, but not to exceed 50% of the amount in controversy.	\$600.00
<b>Assignments/Substitution of Party</b>	\$ 10.60
<b>Building Agreements/Stip</b>	\$ 21.40
<b>CERTIFICATION</b>	
Certification Divorce Decree, Name Change	\$ 6.00
Certification of Entire Record	\$ 21.40
<b>COMMENCEMENT OF ACTION</b>	
Action at Law (plus .50 extra per each pltf. or deft over 5 for indexing.)	\$177.50
Miscellaneous Civil Filing	\$ 81.25
Custody Actions	\$206.00
Divorce—(No Fault) Plus add'l counts	\$263.00
Alimony	\$ 73.50
Alimony pendent lite, counsel fees & costs	\$ 73.50
Custody & Visitation	\$ 82.00
Equitable Distribution	\$ 73.50
Support	\$ 73.50
Other, each	\$ 73.50
Praeipce to Transmit Record	\$ 33.40
Motion for Appointment of Master (Div. Alimony, Equitable Distribution & Annulment)	\$500.00
Motion for Appointment of Master (Interim Relief, Counsel Fees & Costs)	\$ 28.50
Motion for Appointment of Master (Modification of Post-Divorce Alimony)	\$ 28.50
Notice to Retake Maiden Name	\$ 18.50

<i>Document Type</i>	<i>Fee</i>
Praeipce to Reinstate or Reissue	\$ 22.50
<b>MOTION/PETITION (Any Motion or Petition filed with the Clerk)</b>	
Civil Court Motion/Petition	\$ 28.50
Family Court Motion/Petition	\$ 28.50
Any action or proceeding to open/strike a judgment	\$156.25
Proceedings on any lien other than revival—(Mechanic's Lien Complaint)	\$116.00
<b>COPIES</b>	
Photo copy per page	\$ .25
Docket printout by mail	\$ 3.50
Photo copying by clerk	
1st page by mail	\$ 1.00
Each add'l page	\$ .50
Microfilm Copies	\$ 1.00
Transcript Copies (paper format per page)	\$ .75
Transcript Copies (electronic copy per page)	\$ .50
<b>JUDGMENTS</b>	
Confession (notes, bonds, etc.)	\$ 81.00
Magisterial District Judge Transcript	\$ 81.00
Certification of Judgment	\$ 81.00
Domestic Relations	\$ 81.00
Exemplification/Foreign Judgment (Incoming Exemplified Records)	\$ 81.00
Exemplification of Judgment (Outgoing Exemplified Records)	\$ 21.40
Liens	\$ 81.00
Default, Non-Pros, Lis Pendens	\$ 19.50
Verdict, Award, Court Order, Agreement & Final Decree	\$ 19.50
Release of Judgment	\$ 10.60
Reassess of Judgment	\$ 10.60
Subordination of Judgment	\$ 10.60
Withdraw of Judgment	\$ 10.60
236 Notice E-Filed (Per Mailing Address of Each Debtor )	\$ 5.25
<b>LETTER OF ATTORNEY</b>	
Recording—each name	\$ 10.60
Revoking—each name	\$ 10.60
<b>NOTARY PUBLIC</b>	
Notarizing Fee	\$ 6.00
Notary Certificate	\$ 4.00
Notary Signature Registration	\$ 4.00
<b>POLITICAL SUBDIVISION</b>	
Action at Law or Equity	\$ 71.15
Appeal from District Justice	\$ 70.75
District Justice Transcript	\$ 70.75
Execution	\$ 10.00
Judgment	\$ 10.00

<i>Document Type</i>	<i>Fee</i>
Liens with Satisfaction Fee	\$ 71.15
1. Federal Liens (effective 2006)	
2. Mechanic Liens	
3. Municipal Liens	
4. State Liens (effective 2004)	
5. Unemployment Liens (effective 2006)	
Satisfaction not pre-paid	\$ 10.40
Correction Notices	\$ 10.00
1. Federal Liens	
Re-file Notice	\$ 10.00
Suggestion of Non-payment Federal, State, Unemployment	\$ 10.00
<b>PROTECTION FROM ABUSE</b>	
PFA filing	\$203.50
PA State Police Registry	\$100.00
PFA Contempt or Bench Warrant	\$ 21.40
Petition for Weapons Return	\$ 28.50
Petition/Motion for Reconsideration (Filed by DFT)	\$ 28.50
<b>Removal or Transfer</b>	\$ 25.50
<b>REPORTS</b>	
Detailed Case Type Reports	\$ 25.50
<b>REVIVALS</b>	
Amicable/Agreement	\$ 19.25
Adverse/Writ	\$ 32.75
Averments, suggestion of non-payment, (Continuing any lien not reduced to a judgment)	\$ 19.25
<b>Satisfactions</b> —not prepaid	\$ 10.60
<b>School Audits</b>	\$ 10.60
<b>SUBPOENA</b>	
Subpoena—To Attend and Testify	\$ 4.00
Subpoena—To Produce Documents	\$ 4.00
<b>Surety Financial Statement</b>	\$ 19.40
<b>WRITS</b>	
Bench Warrant	\$ 21.00
Execution	\$ 32.75
Attachment Execution	\$ 33.25
Writs (Seizure, Possession, and Habeas)	\$ 32.75

No personal checks will be accepted

Business checks should be made payable to: CLERK OF JUDICIAL RECORDS—CIVIL DIVISION

All checks returned for insufficient funds will be assessed a \$20.00 service charge.

Pursuant to 42 P.S. § 21073(b), the Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit, action or order of court or enter any judgment thereon or perform any service whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.

The maximum fee to be charged a political subdivision for any one of the services provided for herein shall be \$10.00. Total fee may include satisfaction/discontinuance, automation fees, JCS fee and Tax

Actions started by a political subdivision includes tax and surcharges

*Note:* A Credit Card Fee will be charged by the credit card company for the use of a credit/debit cards.

A \$1.00 per page conversion fee will be charged by the Clerk of Judicial Records for all documents not submitted electronically

[Pa.B. Doc. No. 18-1889. Filed for public inspection December 7, 2018, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONTGOMERY COUNTY

#### Administrative Order Clerk of Courts Fee Bill; No. AD-391-2018

#### Order

And Now, this 20th day of November, 2018, the Court approves the following Clerk of Courts Fee Schedule to be effective January 1, 2019.

By the Court

THOMAS M. DeLRICCI,  
*President Judge*

#### Montgomery County Clerk of Courts

#### Fee Schedule

#### Effective 01/01/2019

<i>Description</i>	<i>Fee</i>
Appeal to Superior Court (Clerk of Courts Fee)	\$78.00
Appeal to Superior Court (Superior Court Fee)	\$90.25
Bail Bond Filing Fees (Applicable to Bonding Companies Only)	\$28.75
Bail Pieces	\$23.75
Certified Copies	\$10.75
Checks returned due to Insufficient Funds	\$38.25
Clerk of Courts Fee During and After Trial	\$355.25
Clerk of Courts Fee Prior to Trial	\$305.00
Clerk of Courts Processing Fee—Summary	\$32.50
Constable Appointment Petitions	\$28.75
Copies (Per Sheet)	\$1.00
Copies from Micro Fiche (Per Sheet)	\$2.00
Criminal Record Searches (Computer & Micro Fiche search)	\$23.75
Criminal Record Searches (Computer search back to 1984)	\$23.75
Expungements	\$160.25
Finger Print Cards (Per Card)	\$16.00
Nunc Pro Tunc	\$28.75
Pre-Trial Motions and Miscellaneous Filings	\$28.75
Private Detective License—(New Application)	\$28.75
Private Detective License—(Renewal Application)	\$28.75
Private Detective License—New (Corporation)	\$300.00
Private Detective License—New (Person)	\$200.00

<i>Description</i>	<i>Fee</i>
Private Detective License—Renewal (Corporation)	\$750.00
Private Detective License—Renewal (Person)	\$500.00
Property Bail	\$28.75
Return of Property Filings	\$28.75
Subpoenas	\$3.75
Summary Appeals	\$63.25
Tax Collector Bonds	\$28.75

[Pa.B. Doc. No. 18-1890. Filed for public inspection December 7, 2018, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Sandy N. Webb (# 88217), having been disbarred in the State of Oregon, the Supreme Court of Pennsylvania issued an Order on November 19, 2018, disbarring Sandy N. Webb from the Bar of this Commonwealth, effective December 19, 2018. In accordance with Rule 217(f), Pa.R.D.E., since this for-

merly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that Jon Ari Lefkowitz having been suspended from the practice of law in the State of New York; the Supreme Court of Pennsylvania issued an Order dated November 15, 2018 suspending Jon Ari Lefkowitz from the practice of law in this Commonwealth for a period of two years, effective December 15, 2018. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

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